

Exhibit 12

ER 5

From: Digaetano, Charlene <charlene.digaetano@encorebostonharbor.com>
 Sent: Wednesday, February 22, 2023 5:37 PM
 To: Valentin, Charlotte <charlotte.valentin@encorebostonharbor.com>
 Subject: Summary - February 19, 2023 Call Center

Good evening Charlotte,

On Saturday, February 19, 2023 after 1:15pm (I do not have an exact time), Charles (Charlie) Truong and [REDACTED] were having their usually banter in regards to who would have the highest revenue for February 2023. For back ground, we have a Revenue Racetrack that we display so our Reservation Agents can see how much they are selling in Room Revenue. Charlie and [REDACTED] usually go back and forth about who will be #1 and Charlie always tries to get [REDACTED] to place a bet. [REDACTED] will typically shrug off anything Charlie says. On this particular day, I was at the Assistant Manager desk ([REDACTED] sits in front of me and there are 3 desks to his left) and I heard them going back and forth then [REDACTED] got a call and I heard Charlie say, "As long as that monkey pays me" to Maria Portillo (she sits to the left of Charlie between [REDACTED] and Charlie/ Rough draft of seating below). I did not react to this right away as I was unsure of how to handle this situation (it did not appear to offend anyone but me). Maria and I spoke and she confirmed she heard what he said, [REDACTED] confirmed with me that he also heard what was said but did not take it in a negative way (he usually just shrugs Charlie off) but did not appreciate that it was said. I did not inform Yelena of this until Tuesday, February 21, 2023, to which I informed her that I would have a conversation with Charlie and she directed me to add a Note to File. I spoke with Charlie around 4pm on Tuesday, February 21, 2023 just outside of the Call Center in the hallway and informed him that discriminatory language of that nature is not appropriate and should not be said in the workplace. Charlie was informed that this would be a Note to File and then he said he wanted to look at his notes in his file and I informed that I would see if we are able to show him this information or if he needs to visit HR. When we returned to the office Charlie approached me at my desk and started to say that he remembered this but said he had two bananas and offered them to [REDACTED] and that monkeys eat bananas. I told him that I heard him specifically say "As long as that monkey pays me" and Charlie's return remark was I guess I said it then. After this Charlie has only asked to see his Note to Files we have. We gave Charlie what was sent from Employee Relations but it did not show the Note to Files specially and that is what Charlie was looking for. I informed Charlie that he would need to reach out to Employee Relations to get further information.

PBX	PBX	PBX	RES	RES/Spa
PBX	RES-[REDACTED]	RES-Ronabert (Debbie) Dufresne	RES-Maria Portillo	RES-Charles Truong
PBX	Walk Area			
ASM - Charlene			ASM	

Kind regards,

CHARLENE DIGAETANO
 Assistant Manager | Call Center

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REDACTED